

(Received 05/12/2010 via email)

May 12, 2010

Delta Stewardship Council

Attention: John Ryan, Program Manager, Program Performance and Tracking
(916)445-0672

RE: Comments on Interim Delta Plan: Applicable to Section III, Restore the Delta Ecosystem, (c, d,f); Section V, Build Facilities et al, (b, e, f); Section VI, (d and e)

Proposal: Delta Stewardship Council shall accept and use *only* verified correct data regarding all proposed near term actions and other Delta Plan projects.

Dear Delta Stewardship Council,

I am writing this letter as both a concerned California citizen and a business/landowner of the California Delta Region. My land is located on a peninsula called Snug Harbor attached to Ryer Island, and bordered by historic Steamboat Slough a tributary of the lower Sacramento River.

The decisions you are asked to make will have substantial impact on the people of the state of California, no doubt. Shouldn't you base your decisions on scientific facts and valid historic data rather than studies and reports created for the sole purpose of camouflaging, confusing and diluting the important facts and issues of the California water conflicts?

I simply ask that you base decisions on the truth, not historical revisionists version of "facts". Its not only the right thing to do, its the correct legal approach as well. Carefully consider what you see, read and hear, particularly from DWR, PPIC and other agency writers whose sole purpose is to validate diverting more Delta water. This letter addresses just three of the important topics, Island Flood history, Island Subsidence, and Delta population, which are material factors of proposals within Sections III, V and VI:

Delta Island Flood History: *Who's historical data will you use?*

US Army Corps of Engineers records report the Delta islands flooded **31** times but the Department of Water Resources "Delta Risk Management Strategy" report (DRMS) says Delta islands flooded **158** times. (See Attachment comparison spreadsheet) The difference is that DWR combined records of islands in *and around* the Delta starting from 1900, when most of the current levees were not even built. USACE reports correctly only islands within the Legal Delta Region, starting with floods *after* the levees were built to current standards. In other words, DWR's DRMS takes oranges, peaches and kumquats, smooches them into a "Delta Smoothe" and compares it to accurate USACE "apples". Please just compare apples to apples and ignore the "Delta Smoothe" reports.

Specifically regarding Ryer Island flood history, DRMS maps indicate Ryer Island flooded "3-5 times" which is incorrect. Ryer Island did not flood in 1986,

as DRMS lists and the floods of 1904 and 1907 happened before the levees were improved so should not be counted. DWR has acknowledged the false data regarding Ryer Island, and said the DRMS study would be corrected. So far, it has not been corrected and other scientists, writers and agencies continue to quote incorrect Delta Island flood history. Note that because incorrect base data was used, many of the tables and maps, means and averages reported in DRMS are also incorrect. (See Attachments showing summary of Island Flood studies, DRMS Technical Report, DWR confirmation of incorrect Ryer Island data used).

Delta Island Subsidence Rates: Another example of revision of Delta history is the use of select island data applied to *all* islands to give a false impression regarding Delta "Sustainability" and "subsidence". DRMS focuses on just a few Delta Islands and the reader is left to assume the subsidence risks apply to *all* Delta islands. The fact is, a majority of the lands of the Legal Delta region (see map) remain within 5 feet of sea level, or *above* sea level. The islands you have seen in photos or perhaps visited were managed in such a way as to intentionally make them subside, so that you and most media see only the islands that are 20 or more feet below sea level.

Ask the question "who owns Sherman Island, Webb Tract, Bacon Island and how long have they owned those islands? You will find that either state agencies or large corporations own those islands and these islands were intentionally farmed for planned purposes that created the subsidence. Take for example Webb Tract and Bacon Island, which in 1988 were proposed by their corporate owners to be used as "in-Delta storage facilities". Since 1988 one can assume the owners have been working to get the islands as deep as possible, the better to hold fresh water for export. Ask about the history of Sherman Island and for how long Fish & Game has owned and managed a majority of that important island. Ask what DWR learned from the Island flood modeling conducted 2002-2003 and the result of the 2004 Lower Jones Tract levee break, which was a convenient verification test of those modeling studies. Ask what the "big gulp" theory is, in relation to Delta Island flood concerns, and why the state agency that helped to make a portion of Sherman Island a Lake now wants to reverse course and shore up the levees and perhaps fill in the island using upcoming dredging soils or other subsidence reversal techniques. (See attached documents regarding In-Delta storage & Wetlands project)

You might notice that DRMS technical report on subsidence does not provide the reader with the logical data, such as a map showing Delta island elevations in 1906 compared to Delta island elevations in 2007, information readily available to governmental agencies. Instead, DRMS provides maps of *projected* 2050 subsidence estimated from a study of select delta islands that were managed to subside in preparation for use as In-Delta storage. Ask for the data showing who owned the target Delta islands in 1990 and 2005, and ask for subsidence comparison of only the islands located within the Legal Delta region, if you are interested in the truth. **The Council should take the position that Delta islands that have *not* substantially subsided and *do not* pose a real threat to California's water system should be removed from any consideration of**

elimination as a productive farming island and recreation area. (See attached Legal Delta boundary map and 2001 Delta Elevations map)

Delta Population: During the "Delta Overview" presentation to the council in April, 2010, one council member asked what the affected population of the Delta was. The chairman appeared to not know the answer and it sounded like he said "8,000 people". That must have been a mistake. This is the same man who chaired the Delta Vision series of documents that indicated within the Legal Delta region there are between 500,000 residents and up to 4 million residents if you count the people within the large cities like Sacramento, Stockton, and Antioch. Near term proposed actions such as diverting more Sacramento River into the Mokelumne River for transport to other areas of the state will have a substantial negative impact on a *minimum* of 500,000 residents, not to mention the farms, ranches, recreational businesses and support services of the Delta communities. It will also substantially alter the general environment of the historic Delta towns like Rio Vista and Isleton, as each of these locations will transition to a saltwater port instead of their natural freshwater environment. Most likely all Delta islands west of the Mokelumne River, and south or below the Sacramento/Cache Slough confluence, will no longer be able to produce their current crop once the central conveyance route is put into operation. Please see attached documentation, but ask the five Delta counties or the US Census Bureau for more accurate data.

As I stated at the beginning of this letter, I am simply asking that the Delta Stewardship Council base decisions on historical facts, not incomplete and incorrect studies and reports.

Respectfully submitted,

[*Nicole S. Suard, Esq.*](#), Managing Member, Snug Harbor Resorts, LLC

cc: Solano County Supervisor Michael Reagan; Sean Bagheban, DRMS Project Manager, DWR; Karla Nemeth, CA Resources; Linda Fiat, DPC